

REMARKS

Claims 2-16, 18-25 and 45-63 are currently pending, wherein claim 18 has been amended and claims 1, 17, and 26-44 have been canceled. Favorable reconsideration is respectfully requested in view of the remarks presented herein below.

At the outset, Applicant notes the allowance of claims 45-63.

On page 2 of the Office action ("Action"), the Examiner objects to the amendment filed on August 29, 2008 under 35 U.S.C. 132(a) because the amendment allegedly introduces new matter. Although Applicant disagrees with the Examiner assertion that the August 29, 2008 amendment introduces new matter, claim 42 has been canceled rendering this objection moot.

Further on page 2, the Examiner rejects claim 42 under 35 U.S.C. 112, first paragraph as allegedly failing to comply with the written description requirement. Although Applicant disagrees with the Examiner's assertion, claim 42 has been canceled rendering this rejection moot.

On page 3 of the Action, the Examiner rejects claims 2-41 under 35 U.S.C. § 102(b) as being anticipated by the Dymetman et al. paper titled "Intelligent Paper", ("Dymetman"). Claims 17 and 26-44 have been canceled rendering this rejection moot with regard thereto. With regards to claims 2-16, and 18-25 Applicant respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. § 102, the cited reference must teach each and every claimed element. In the present case, claims 2-16 and 18-25 are patentable over Dymetman because Dymetman fails to disclose each and every claimed element as discussed below.

Claims 2-16 variously depend from allowed claim 61. Therefore, claims 2-16 are patentable over Dymetman for at least the reason that claim 61 has been allowed.

Independent claim 18, from which claims 19-25 depend, has been amended to include allowable subject matter, specifically, two dimensional coordinate reference which represents physical positions in a unique and continuous manner. Accordingly claims 18-25 are patentable over Dymetman. Reconsideration and withdrawal of the rejection of claims 2-16 and 18-25 is respectfully requested.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny L. Caudle Reg. No. 46,607 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By Penny Caudle #46,607
Michael K. Mutter
Registration No.: 29,680
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000